

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

---

UNITED STATES DISTRICT COURT

\*\*\*\*\* DISTRICT OF NEVADA

MICHAEL DAVITT,

Petitioner,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: **3:09-CV-00611-ECR-VPC**

MCDANIEL , et al.,

Respondents.

\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

\_\_\_ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

X **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that this action is **DISMISSED** without prejudice for Petitioner's failure to comply with the Court's Order (#3).

**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

January 6, 2010

**LANCE S. WILSON**  
Clerk

/s/ D. R. Morgan  
Deputy Clerk